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MAY 23 2001

MARY E. D'ANDREA, CLERK
F.C.
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UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

PAUL TURPIN,) Civil No. 1:CV-01-0168
Petitioner)
)
) (Judge Rambo)✓
v.)
)
IMMIGRATION & NATURALIZATION)
SERVICE,)
Respondent)

**RESPONDENT'S MOTION FOR
EXTENSION OF TIME**

Respondent Immigration and Naturalization Service (INS), by and through undersigned counsel, respectfully moves the Court for an extension of time within which to respond to Petitioner's amended Petition for Writ of Habeas Corpus. In support thereof, Respondent avers the following:

1. Petitioner Paul Turpin filed the instant Petition for Writ of Habeas Corpus pro se on January 26, 2001.
2. On February 7, 2001, the Court directed service of the Petition on Respondent INS, and directed that Respondent show cause why Petitioner should not be granted habeas corpus relief.
3. Respondent's response was filed on February 27, 2001.
4. On March 8, 2001, the Court granted Turpin's request to have counsel appointed to represent him.
5. On April 6, 2001, Turpin filed an amended petition.
6. On April 9, 2001, the Court issued a Show Cause Order

directing Respondent to show cause within twenty days why Turpin should not be granted habeas relief.

7. Respondents filed a response to the amended petition on May 7, 2001.

8. On May 11, 2001, the Court issued an Order scheduling oral argument for May 16, 2001.

9. On May 17, 2001, the Court issued an Order directing Respondents to supplement the record and submit an amended response to Petitioner's amended habeas corpus petition.

10. Undersigned counsel has requested Judgment and Commitment Orders which are in archives in Queens, New York. As of this date, counsel has not yet received the Judgment and Commitment Orders which are needed to effectively prepare an amended response to Petitioner's amended habeas petition.

11. Based on the above, counsel for Respondent respectfully requests a two-week extension of time in which to respond to the amended Writ of Habeas Corpus.

12. Counsel sought the concurrence of the Petitioner Paul Turpin's counsel, Daniel I. Siegel, Esquire, in the instant motion, and states that he concurred in Respondent's motion.

WHEREFORE, Respondent respectfully requests a two-week extension of time in which to file a response to Petitioner's amended Writ of Habeas Corpus.

Respectfully submitted,

DAVID M. BARASCH
UNITED STATES ATTORNEY

Dulce Donovan/MRS
DULCE DONOVAN
ASSISTANT U.S. ATTORNEY
228 Walnut Street
P.O. Box 11754
Harrisburg, PA 17108
717/221-4482

Dated: May 23, 2001

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

PAUL TURPIN,) Civil No. 1:CV-01-0168
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SERVICE,)
Respondent)

CERTIFICATE OF CONCURRENCE

Counsel certifies that she contacted Petitioner Paul Turpin's counsel, Daniel I. Siegel, Esquire, and that he concurs in Respondent's Motion for Extension of Time.

Date: 5/23/01

Dulce Donovan/jas
Dulce Donovan

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

PAUL TURPIN,) Civil No. 1:CV-01-0168
Petitioner)
v.) (Judge Rambo)
IMMIGRATION & NATURALIZATION)
SERVICE,)
Respondent)

CERTIFICATE OF SERVICE

The undersigned hereby certifies that she is an employee in the Office of the United States Attorney for the Middle District of Pennsylvania and is a person of such age and discretion to be competent to serve papers.

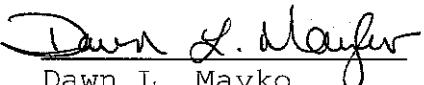
That this 23rd day of May 2001, she served a copy of the attached

RESPONDENT'S MOTION FOR AN EXTENSION OF TIME

by placing said copy in a postpaid envelope addressed to the person hereinafter named, at the place and address stated below, which is the last known address, and by depositing said envelope and contents in the United States Mail at Harrisburg, Pennsylvania.

ADDRESSEE(S)

Daniel I. Siegel, Esquire
Federal Public Defender's Office
100 Chestnut Street
Suite 306
Harrisburg, PA 17101


Dawn L. Mayko
Legal Secretary